

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
PORTER DEVELOPMENT	§	CASE NO. 15-31305-H5-7
PARTNERS, LLC	§	
WB MURPHY ROAD	§	CASE NO. 15-31307-H5-7
DEVELOPMENT, LLC	§	
WB REAL ESTATE	§	CASE NO. 15-31770-H5-7
HOLDINGS, LLC	§	
WALLACE BAJJALI	§	CASE NO. 15-31772-H5-7
INVESTMENT FUND II, LP	§	
DEBTORS	§	CHAPTER 7

DECLARATION OF THERESA D. MOBLEY AUTHENTICATING EXHIBITS

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

1. My name is Theresa D. Mobley. I am an attorney practicing law as Theresa Mobley PLLC and counsel for the Trustee, Lowell T. Cage, (the “Trustee”) in the above-captioned Bankruptcy Estates (the “Estates”). I am licensed to practice law in the State of Texas and before this Court.
2. As counsel for the Trustee, I offer this Declaration in support of his Motion for Summary Judgment in these contested matters. The facts stated within this Declaration are true and correct and are within my personal knowledge.
3. Attached as Exhibit 1 is summary of the Proofs of Claims filed by the Taylor Claimants in the Debtors’ chapter 7 bankruptcy proceedings. As counsel of record in this case, I am familiar with the Proofs of Claims filed by the Taylor Claims, and I verify that to the best of my knowledge the summary attached is a true and correct summary of their claims for demonstrative purposes.
4. Attached as Exhibit 2 is a true and correct copy of excerpts from the testimony of Edward Fox, as representative of Industrial Info Resources Corporation on December 4, 2018, taken at his deposition in the Debtors’ bankruptcy proceedings. As counsel of record in this case, I am familiar with Mr. Fox’s deposition, and I verify that to the best of my knowledge the excerpt attached is a true and correct copy.

5. Attached as Exhibit 3 is a true and correct copy of excerpts from the testimony of Bryan Stanley at the hearing on Motion to Lift Stay held by the Court on March 19, 2018. As counsel of record in this case, I am familiar with Mr. Stanley's deposition, and I verify that to the best of my knowledge the excerpt attached is a true and correct copy.
6. Attached as Exhibit 4 is a true and correct copy of a document entitled "Secured Promissory Note" dated December 2, 2010. This document was admitted into evidence for Bryan Stanley as Exhibit S-002 by the Court at hearing on Motion to Lift Stay held on March 19, 2018. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
7. Attached as Exhibit 5 is a true and correct copy of a document entitled "Pledge Agreement" dated December 2, 2010. This document was admitted into evidence as Exhibit S-003 for Bryan Stanley by the Court at hearing on Motion to Lift Stay held on March 19, 2018. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
8. Attached as Exhibit 6 is a true and correct copy of a document entitled "UCC Financing Statement" Filed by David B. Giles, Filing Number 15-0009634553, Filing Date 03/31/2015 and Document Number: 599123850002 Filed with the Texas Secretary of State. This document was admitted into evidence as Exhibit S-011 for Bryan Stanley by the Court at hearing on Motion to Lift Stay held on March 19, 2018. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
9. Attached as Exhibit 7 is a true and correct copy of a document entitled "Proof of Claim No. 2" filed by Bryan Stanley in WB Holdings' case and dated August 13, 2015. This document was admitted into evidence as Exhibit S-001 for Bryan Stanley by the Court at hearing on Motion to Lift Stay held on March 19, 2018. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
10. Attached as Exhibit 8 are Schedules filed in the Chapter 11 Case of Porter in Case No. 11-38543 on or about October 3, 2011, in this Court [Hon. Karen Brown] in the Southern District of Texas. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
11. Attached as Exhibit 9 in the Proof of Claim No. 3 filed by Taylor in the Chapter 11 Case of Porter in Case No. 11-38543 on or about January 24,

2012. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
12. Attached as Exhibit 10 is the Amended Chapter 11 Plan of Reorganization filed in the Chapter 11 Case of Porter in Case No. 11-38543 on or about May 29, 2012, in this Court [Hon. Karen Brown] in the Southern District of Texas. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
 13. Attached as Exhibit 11 is the Order Confirming the Amended Chapter 11 Plan of Reorganization entered in the Chapter 11 Case of Porter in Case No. 11-38543 on June 12, 2012, by this Court [Hon. Karen Brown] in the Southern District of Texas. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
 14. Attached as Exhibit 12 is the Final Decree entered in the Chapter 11 Case of Porter in Case No. 11-38543 on January 21, 2014, by this Court [Hon. Karen Brown] in the Southern District of Texas. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
 15. Attached as Exhibit 13 is a certified true and correct copy of the Complaint filed in Securities and Exchange Commission v. Albert Fase Kaleta and Kaleta Capital Management, Inc., and Business Radio Network, L.P., et al., Case No. 4:09-cv-03674 (S.D. Tex.) dated November 13, 2009. This document was obtained from the United States District Court for the Southern District of Texas, Houston Division. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
 16. Attached as Exhibit 14 is a certified true and correct copy of the District Court Civil Docket for Case No. 4:09-cv-03674 Securities and Exchange Commission v. Kaleta et al. This document was obtained from the United States District Court for the Southern District of Texas, Houston Division. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
 17. Attached as Exhibit 15 is a certified true and correct copy of the Receiver's Motion for Entry of Orders (I) Approving Bidding Procedures and Notice for the Sale of Radio Station Assets, (II) Approving Sale of Radio Station Assets Free and Clear of All Liens, Claims, Encumbrances and Other Interests, and (III) Approving Compromise of Controversies and Partial Distribution of Sale Proceeds filed in Securities and Exchange Commission v. Albert Fase Kaleta and Kaleta Capital Management, Inc., and Business Radio Network, L.P., et al., No. 4:09-cv-3674 (S.D. Tex.). This document was obtained from the

United States District Court for the Southern District of Texas, Houston Division. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.

18. Attached as Exhibit 16 is a certified true and correct copy of the Investors' Objection to Sale of Radio Station Assets and Motion for Continuance of Hearing filed in Securities and Exchange Commission v. Albert Fase Kaleta and Kaleta Capital Management, Inc., and Business Radio Network, L.P., et al., No. 4:09-cv-3674 (S.D. Tex.). This document was obtained from the United States District Court for the Southern District of Texas, Houston Division. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
19. Attached as Exhibit 17 is a true and correct copy of the District Court Memorandum and Order entered in Securities and Exchange Commission v. Albert Fase Kaleta and Kaleta Capital Management, Inc., and Business Radio Network, L.P., et al., No. 4:09-cv-3674 (S.D. Tex.) dated December 2, 2011. This document was obtained from the Southern District of Texas' Public Access to Court Electronic Records ("PACER") website. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
20. Attached as Exhibit 18 is a certified true and correct copy of the Receiver's Motion for Order Approving Proposed Settlement and for Ancillary Orders filed in Securities and Exchange Commission v. Albert Fase Kaleta and Kaleta Capital Management, Inc., and Business Radio Network, L.P., et al., No. 4:09-cv-3674 (S.D. Tex.) dated September 12, 2011. This document was obtained from the United States District Court for the Southern District of Texas, Houston Division. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
21. Attached as Exhibit 19 is a certified true and correct copy of the Investors' Objection to Receiver's Motion for Order Approving Proposed Settlement and for Ancillary Orders filed in Securities and Exchange Commission v. Albert Fase Kaleta and Kaleta Capital Management, Inc., and Business Radio Network, L.P., et al., No. 4:09-cv-3674 (S.D. Tex.). This document was obtained from the United States District Court for the Southern District of Texas, Houston Division. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
22. Attached as Exhibit 20 is a certified true and correct copy of the District Court Memorandum and Order entered in Securities and Exchange Commission v. Albert Fase Kaleta and Kaleta Capital Management, Inc., and Business Radio Network, L.P., et al., No. 4:09-cv-3674 (S.D. Tex.) dated February 7, 2012.

This document was obtained from the United States District Court for the Southern District of Texas, Houston Division. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.

23. Attached as Exhibit 21 is a certified true and correct copy of the District Court Order Approving Settlement and Entering Final Bar Order and Injunction filed in Securities and Exchange Commission v. Albert Fase Kaleta and Kaleta Capital Management, Inc., and Business Radio Network, L.P., et al., No. 4:09-cv-3674 (S.D. Tex.) signed by Judge Nancy F. Atlas on August 1, 2012. This document was obtained from the United States District Court for the Southern District of Texas. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
24. Attached as Exhibit 22 is a certified true and correct copy of the District Court Civil Docket for Case #: 4:11-cv-01932 filed in Securities and Exchange Commission v. David Gordon Wallace, Jr. and Costa Bajjali., et al., (S.D. Tex.). This document was obtained from the United States District Court for the Southern District of Texas, Houston Division. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
25. Attached as Exhibit 23 is a certified true and correct copy of the Complaint filed in Securities and Exchange Commission v. David Gordon Wallace, Jr. and Costa Bajjali., et al., Case No. 4:11-cv-1932 (S.D. Tex.) dated May 20, 2011. This document was obtained from the United States District Court for the Southern District of Texas, Houston Division. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
26. Attached as Exhibit 24 is a true and correct copy of the Agreed Final Judgment as to Defendant David Wallace filed in Securities and Exchange Commission v. David Gordon Wallace, Jr. and Costa Bajjali., et al., Case #: 4:11-cv-01932 (S.D. Tex.) dated May 24, 2011. This document was obtained from the Southern District of Texas' Public Access to Court Electronic Records ("PACER") website. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
27. Attached as Exhibit 25 is a true and correct copy of the Agreed Final Judgment as to Defendant Costa Bajjali filed in Securities and Exchange Commission v. David Gordon Wallace, Jr. and Costa Bajjali., et al., Case #: 4:11-cv-01932 (S.D. Tex.) dated May 24, 2011. This document was obtained from the Southern District of Texas' Public Access to Court Electronic Records ("PACER") website. As counsel of record in this case, I am familiar

with this document, and I verify that to the best of my knowledge it is a true and correct copy.

28. Attached as Exhibit 26 is a true and correct copy of the Case History in Ellisor, Ronald vs. Wallace, David G., Cause No. 2012-01447 (Harris Cnty. Dist. Ct.). This document was obtained from the Office of Harris County District Clerks website, and I verify that to the best of my knowledge it is a true and correct copy.
29. Attached as Exhibit 27 is a certified true and correct copy of the Plaintiffs Original Petition. in Ellisor, Ronald, et al. vs. Wallace, David G., et al. Cause No. 2012-01447 (Harris Cnty. Dist. Ct.). This document was obtained from the Office of Harris County District Clerks website, and I verify that to the best of my knowledge it is a true and correct copy.
30. Attached as Exhibit 28 are true and correct copies of documents collectively entitled "Tolling Agreements". These documents were filed with the U.S. Bankruptcy Court for the Southern District of Texas under Case No. 15-31307, document 189-2 Exhibit B on August 20, 2018 by the Ellisor Claimants. As counsel of record in this case, I am familiar with this document, and I verify that to the best of my knowledge it is a true and correct copy.
31. Attached as Exhibit 29 is a true and correct copy of the Case History in Ellisor, Ronald vs. Frishberg, Daniel., Cause No. 2014-36580 (Harris Cnty. Dist. Ct.). This document was obtained from the Office of Harris County District Clerks website, and I verify that to the best of my knowledge it is a true and correct copy.
32. Attached as Exhibit 30 is a certified true and correct copy of the Plaintiffs and Intervenor's Eighth Amended Petition. in Ellisor, Ronald, et al. vs. Frishberg, Daniel, et al. Cause No. 2014-36580 (Harris Cnty. Dist. Ct.). This document was obtained from the Office of Harris County District Clerks website, and I verify that to the best of my knowledge it is a true and correct copy.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Dallas County, State of Texas on April 9, 2021.

Theresa Mobley

Theresa D. Mobley